

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

In re: )  
 )  
 ) Case No. 09 B 44943  
CANOPY FINANCIAL, INC. )  
 )  
 )  
 ) Chapter 7  
Debtor. )  
 )

**FINDINGS OF FACT AND CONCLUSIONS OF LAW IN SUPPORT OF ORDER AWARDING TO  
JENNER & BLOCK LLP, SPECIAL COUNSEL TO THE TRUSTEE, FOR ALLOWANCE AND  
PAYMENT OF FOURTH INTERIM COMPENSATION AND REIMBURSEMENT OF EXPENSES**

TOTAL FEES REQUESTED:	\$643,376.00	TOTAL COSTS REQUESTED:	\$17,497.88
TOTAL FEES REDUCED:	\$0.00	TOTAL COSTS REDUCED:	\$2,855.75
TOTAL FEES ALLOWED:	\$643,376.00	TOTAL COSTS ALLOWED:	\$14,642.13

**TOTAL FEES AND COSTS ALLOWED: \$658,018.13**

The attached time and expense entries have been underlined to reflect disallowance in whole or in part. The basis for each disallowance is reflected by numerical notations that appear on the left of each underlined entry. The numerical notations correspond to the enumerated paragraphs below.

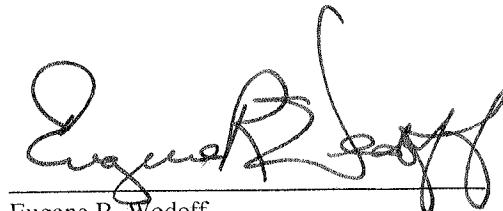
**(6) Meal Expenses**

The Court denies the allowance of reimbursement of this meal expense. *In re Covent Guardian Corp.*, 103 B.R. 937, 942 (Bankr. N.D. Ill. 1989) (“[I]t is highly unlikely that counsel could prove that the meal expenses were reasonably necessary for the proper representation of the debtor . . . If the attorney were not working on the case, he would still have to eat. Accordingly, the Court finds that, except in very limited circumstances, local meals are not reasonably necessary for the proper representation of the client.”).

**(11) Overhead Costs are Non-Compensable**

The Court denies reimbursement for fees or expenses that are overhead costs. Expenses which are overhead are not compensable because they are built into the hourly rate. See *In re Wildman*, 72 B.R. 700, 731 (Bankr. N.D. Ill. 1987). Overhead, for bankruptcy purposes, includes “all continuous administrative or general costs or expenses incident to the operation of the firm which cannot be attributed to a particular client or cost.” *In re Covent Guardian Corp.*, 103 B.R. 937, 939-40 (Bankr. N.D. Ill. 1989) (quoting *In re Thacker*, 48 B.R. 161, 164 (Bankr. N.D. Ill. 1985)).

Dated: August 16, 2011

  
\_\_\_\_\_  
Eugene R. Wedoff  
United States Bankruptcy Judge

DATE	DESCRIPTION	AMOUNT
2/21/2011	Out of Town Travel, VINCENT E. LAZAR, 02/21-22/2011 to Detroit, MI for Deposition	319.00
2/21/2011	Business Meals, VINCENT E. LAZAR, 02/21/2011	⑥ 40.35
2/21/2011	Special Messenger Service	11.40
2/21/2011	Special Messenger Service	33.73
2/22/2011	Network Printing	7.80
2/23/2011	In-City Transportation; PETTY CASH; 02/23/2011 V. Lazar 2/23/11 Cab to court	8.00
2/23/2011	Postage Nque	4.71
2/24/2011	Conferencing Services; Precious Jacobs; 3122229350- 022711	12.96
2/25/2011	Network Printing	3.10
2/25/2011	Postage Nque	7.51
2/28/2011	Network Printing	2.60
2/28/2011	Westlaw Research	⑪ 27.27
2/28/2011	Lexis Research	⑪ 3.59 - \$ 3.59
2/28/2011	Postage Nque	4.95
2/28/2011	Photocopy-NQue	15.90
2/28/2011	UPS tracking# 1Z6134380196310657 Inv# 00000613438101	8.32
2/28/2011	UPS tracking# 1Z6134380196349661 Inv# 00000613438101	8.32
2/28/2011	Special Messenger Service	6.50
2/28/2011	Special Messenger Service	6.50
3/1/2011	Photocopy & Related Expenses	3.15
3/1/2011	Network Printing	4.00
3/1/2011	Photocopy & Related Expenses	30.42
3/1/2011	ID=65743 Conducted by Travis, Seth A Type: Client Event/Meeting# in Attendance 6	19.76
3/1/2011	Photocopy-NQue	.80
3/2/2011	Court Reporter Charge; BIENENSTOCK COURT REPORTING & VIDEO; 03/02/2011 Deposition of John Ingram	814.41
3/2/2011	Network Printing	3.20
3/2/2011	Photocopy-NQue	19.20
3/2/2011	Special Messenger Service	18.60
3/2/2011	Postage Nque	13.65
3/2/2011	Postage Nque	21.51
3/3/2011	Network Printing	118.90
3/4/2011	Network Printing	.70
3/7/2011	In-City Transportation; PETTY CASH; 03/07/2011 V. Lazar 2/211 cab fare to court	8.00

DATE	DESCRIPTION	AMOUNT
3/20/2011	Court Reporter Charge; ESQUIRE DEPOSITION SOLUTIONS; 03/20/2011 Deposition of Robert Angart	395.04
3/20/2011	Court Reporter Charge; ESQUIRE DEPOSITION SOLUTIONS; 03/20/2011 Deposition of Corey Kauffman	331.05
3/21/2011	Network Printing	6.20
3/21/2011	Network Printing	1.40
3/22/2011	Network Printing	96.90
3/23/2011	Network Printing	6.90
3/23/2011	Photocopy-NQue	4.00
3/23/2011	Network Printing	1.70
3/24/2011	Photocopy & Related Expenses	71.00
3/24/2011	Special Messenger Service	6.50
3/25/2011	Photocopy & Related Expenses	25.86
3/25/2011	In-City Transportation; UNITED DISPATCH AGENT; 03/25/2011; P. Jacobs 4/27/11	17.00
3/25/2011	In-City Transportation; UNITED DISPATCH AGENT; 03/25/2011; P. Jacobs 3/16/11	18.45
3/27/2011	Court Reporter Charge; ESQUIRE DEPOSITION SOLUTIONS; 03/27/2011 Deposition of Jeremy Blackburn	1,284.70
3/28/2011	Network Printing	5.60
3/29/2011	Network Printing	22.70
3/30/2011	Network Printing	5.70
3/30/2011	In-City Transportation; PETTY CASH; 03/30/2011 P. Jacobs 3/29/11 Round trip cab fare to court to attend hearing	12.50
3/31/2011	Photocopy-NQue	3.70
3/31/2011	Westlaw Research	293.09
3/31/2011	Westlaw Research	725.31
4/1/2011	Photocopy & Related Expenses	9.96
4/1/2011	Special Messenger Service	42.36
4/5/2011	Photocopy & Related Expenses	3.50
4/5/2011	Network Printing	21.30
4/5/2011	Photocopy-NQue	83.70
4/5/2011	Photocopy & Related Expenses	112.60
4/6/2011	Pacer Charges; PACER SERVICE CENTER; 04/06/2011	28.40
4/6/2011	Pacer Charges; PACER SERVICE CENTER; 04/06/2011	24.56
4/6/2011	Postage Nque	57.34
4/6/2011	Network Printing	30.20
4/6/2011	Photocopy-NQue	.20
4/6/2011	Pacer Charges; PACER SERVICE CENTER; 04/06/2011	3.04
4/6/2011	Pacer Charges Period of 01/01/2011 through 03/31/2011	6.56
4/6/2011	Pacer Charges; PACER SERVICE CENTER; 04/06/2011	174.32
4/7/2011	Postage Nque	56.12

DATE	DESCRIPTION	AMOUNT
4/22/2011	Business Meals, VINCENT E. LAZAR, 04/22/2011 with Precious Jacobs	(6) 49.69 - \$49.69
4/22/2011	In-City Transportation; UNITED DISPATCH AGENT; 04/22/2011; P. Jacobs 4/20/11	17.65
4/22/2011	In-City Transportation; UNITED DISPATCH AGENT; 04/22/2011; P. Jacobs 4/21/11	18.85
4/23/2011	Photocopy & Related Expenses	75.60
4/24/2011	Photocopy & Related Expenses	46.16
4/24/2011	Photocopy-NQue	.10
4/25/2011	Photocopy & Related Expenses	466.40
4/25/2011	Business Meals, PRECIOUS S. JACOBS, 04/25-26/2011 Lunch while at trial	(6) 27.63 - \$27.63
4/25/2011	Special Messenger Service	13.00
4/26/2011	Photocopy & Related Expenses	8.70
4/26/2011	Photocopy-NQue	41.90
4/27/2011	In-City Transportation; PETTY CASH; 04/27/2011 M. Patterson 4/26/11 traveld to court to deliver and set up trial materials	16.00
4/27/2011	In-City Transportation; PETTY CASH; 04/27/2011 P. Jacobs 4/27/11 round trip cab fare to court to attend hearing	12.90
4/28/2011	Network Printing	11.20
4/28/2011	Outside Professional Services; ATG LEGAL SERVE, INC.; 04/28/2011	98.00
4/29/2011	In-City Transportation; PETTY CASH; 04/29/2011 P. Jacobs 4/29/11 Cab fare to court to attend hearing	6.00
4/29/2011	In-City Transportation; UNITED DISPATCH AGENT; 04/29/2011; P. Jacobs 4/18/11	17.45
4/29/2011	In-City Transportation; UNITED DISPATCH AGENT; 04/29/2011; P. Jacobs 4/23/11	18.45
4/30/2011	Westlaw Research	(11) 294.45 - \$294.45
4/30/2011	Lexis Research	(11) 198.10 - \$198.10
4/30/2011	Westlaw Research	(11) 668.34 - \$668.34
4/30/2011	In-City Transportation; UNITED DISPATCH AGENT; 04/30/2011; P. Jacobs 4/27/11	17.45
5/4/2011	In-City Transportation; PETTY CASH; 05/04/2011 V. Lazar 4/25/11 Cab to/from court	16.00
5/4/2011	In-City Transportation; PETTY CASH; 05/04/2011 V. Lazar 4/26/11 Cab fare to/from Court	16.00
5/5/2011	Court Reporter Charge; JACKLEEN DEFINI; 05/05/2011 Transcript of proceedings - 4/25/2011	584.50
5/6/2011	In-City Transportation; UNITED DISPATCH AGENT; 05/06/2011; P. Jacobs 4/25/11	17.85

DATE	DESCRIPTION	AMOUNT
5/6/2011	In-City Transportation; UNITED DISPATCH AGENT; 05/06/2011; P. Jacobs 4/28/11	17.45
5/6/2011	In-City Transportation; UNITED DISPATCH AGENT; 05/06/2011; P. Jacobs 4/26/11	18.45
5/9/2011	Postage Nque	.44
5/10/2011	Network Printing	1.50
5/10/2011	Photocopy-NQue	126.10
5/11/2011	Photocopy & Related Expenses	.63
5/11/2011	Photocopy-NQue	126.70
5/11/2011	Court Reporter Charge; JACKLEEN DEFINI; 05/11/2011 Transcript of proceedings before Judge Wedoff - 4/27/11	35.00
5/11/2011	Network Printing	5.60
5/18/2011	Network Printing	7.80
5/18/2011	Photocopy-NQue	6.00
5/18/2011	Postage Nque	25.02
5/19/2011	Postage Nque	59.39
5/20/2011	Photocopy & Related Expenses	661.00
5/24/2011	Postage Nque	6.60
5/25/2011	Postage Nque	.44
5/31/2011	Photocopy & Related Expenses	21.00
5/31/2011	Westlaw Research	69.38
5/31/2011	Westlaw Research	414.66
5/31/2011	Westlaw Research	43.89
5/31/2011	Photocopy & Related Expenses	185.20
	TOTAL DISBURSEMENTS	\$17,497.88